

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|----------------------|-----------------------------------|------------|
| In re application of | |) |
| | |) |
| | E. Marlowe Goble et al. |) |
| | |) |
| Serial No.: | 10/798,665 |) Art Unit |
| | |) 3733 |
| Filed: | March 11, 2004 |) |
| | |) |
| Confirmation No.: | 6304 |) |
| | |) |
| For: | IMPLANTS AND RELATED METHODS AND |) |
| | APPARATUS FOR SECURING AN IMPLANT |) |
| | ON AN ARTICULATING SURFACE OF AN |) |
| | ORTHOPEDIC JOINT |) |
| | |) |
| Examiner: | David Comstock |) |

5th SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed listed references are disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof that is not a US Patent document is also enclosed.

Application with Related Disclosure

By way of information to the Examiner, set forth below is a list of pending patent applications that disclose and may claim some common subject matter:

| Inventors | Serial No. | Filing Date |
|--------------------------|-------------------|--------------------|
| Daniel F. Justin et al. | 10/749,346 | December 30, 2003 |
| Daniel F. Justin et al. | 11/219,098 | September 2, 2005 |
| Daniel F. Justin et al. | 10/750,615 | December 30, 2003 |
| Daniel F. Justin et al. | 10/749,332 | December 30, 2003 |
| Daniel F. Justin et al. | 10/901,941 | July 28, 2004 |
| E. Marlowe Goble et al. | 10/901,935 | July 28, 2004 |
| Robert A. Hodorek et al. | 10/901,562 | July 28, 2004 |
| E. Marlowe Goble et al. | 11/040,503 | January 21, 2005 |
| Daniel F. Justin et al. | 11/040,501 | January 21, 2005 |

Dated this 12th day of September 2008.

Respectfully submitted,

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